

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION

OPIATE LITIGATION

*This document relates to:*

Track One Cases

MDL 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

**PLAINTIFFS' MOTION FOR LEAVE TO FILE PLAINTIFFS' RESPONSE IN OPPOSITION TO  
WALGREENS'S OBJECTION TO DISCOVERY RULING NO. 9 UNDER SEAL**

Plaintiffs seek leave to file their Response in Opposition to Walgreens Objection to Discovery Ruling No. 9 (Doc. #1065) ("Wag. Br.", Doc. #1143) under seal in the above-captioned case.

Plaintiffs' file this Motion and Proposed Order (attached as Exhibit A) to ensure compliance with the Court's Protective Order Re: DEA's ARCOS/DADS Database, ECF Doc. 167 (hereinafter "ARCOS Protective Order").

Local Rule 5.2 states: "No document will be accepted for filing under seal unless a statute, court rule, or prior court order authorizes the filing of sealed documents." Loc. R. 5.2.

On March 6, 2018 the Court issued a Protective Order regarding the "ARCOS Data," and stated:

If contained in a pleading, motion, or other document filed with this Court, any Designated Information must be marked with the applicable confidentiality designation, designated as "Subject to Protective Order," and filed under seal with prior Court authorization. Only the portions of the filed document containing Designated Information are subject to being filed under seal, and a party shall file both a redacted version for the public docket and an unredacted version for sealing.

ARCOS Protective Order, at ¶ 8.

Plaintiffs' Response will contain information that is subject to the Court's ARCOS Protective Order.

WHEREFORE, Plaintiffs' respectfully request leave to file its Response in Opposition to Walgreens Objection to Discovery Ruling No. 9 under seal.

Respectfully submitted,

s/Peter H. Weinberger

Peter H. Weinberger (0022076)

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on November 26, 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

s/Peter H. Weinberger

Peter H. Weinberger

*Plaintiffs' Co-Liaison Counsel*